

Attachment N

## **Opportunities**

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Following is an example of a management tool, Geographic Information System (GIS), and several examples of funding and management opportunities available to assist in managing lands and resources within the study area whether the Bureau of Reclamation (Reclamation) is managing the area or it has a managing partner.

#### **Geographic Information System Mapping**

Although there are various naturally occurring phenomena and conditions that may limit or influence human activity within the study area, adequate mapping can identify areas that have constraints or limitations for future development. GIS mapping can provide a tool to determine if management actions might be compatible with the existing use of the land. The GIS digital layers created can be stacked and used to generate new layers that answer questions about the suitability of development based on the land capabilities of a geographic area or spatial location.

#### **Federal Assistance to Sport Fish Restoration Program**

The Federal Assistance to Sport Fish Restoration Program, which includes the Wallop-Breaux Amendment, provides Federal funds to State game and fish departments to develop fishing access facilities such as boat ramps, restrooms, courtesy docks, and parking areas. State game and fish departments will accept proposals from other entities to enhance fishing opportunities in the State. The Federal Government pays 75 percent of the costs, and the respective State game and fish departments pay the other 25 percent. The fact that Reclamation is a Federal agency does not preclude it from requesting funds from the Montana Fish, Wildlife, and Parks (MFWP) for fishing access facilities. If the need is justified, the State can fund the total cost of such improvements through the above-mentioned restoration program.

#### **1998 Transportation Equity Act for the 21st Century (TEA-21)**

Eligible projects under the Public Lands Highway Discretionary Fund include, but are not limited to, planning for Federal programs that benefit recreation development, parking, interpretive signage, trails, roadside rest areas, sanitary and waste facilities, and acquisition of certain lands. Efforts in identifying proposed projects should be coordinated between Federal, State, and local entities. Specially close coordination should occur at the early stages of project identification and formulation with the State and Federal Highway Departments.

## **FishAmerica Program**

FishAmerica funds are administered by the FishAmerica Foundation and are action-oriented, “on-the-ground” projects conducted by volunteers (or staff paid from other sources other than FishAmerica). Projects must directly improve water quality and/or preserve or enhance fish populations. For agency or institutional projects, volunteer groups must help conduct hands-on activities. Funds for nonlabor activities and costs are provided for habitat restoration, fish population improvement, and educational projects with a hands-on fishery management component. No cost sharing is required by the requesting entity, and the grant limit cannot exceed \$10,000 for each project. The annual funding level for the FishAmerica Foundation is \$100,000.

## **Bring Back the Natives Program**

The National Fish and Wildlife Foundation (NFWF) is a private nonprofit organization established by Congress in 1984. The NFWF funds “on-the-ground” efforts to restore aquatic species to their historic ranges. Projects generally restore and enhance aquatic and riparian habitats to support native species. Bring Back the Natives is a collaborative partnership among the United States Forest Service (USFS), United States Fish and Wildlife Service, Bureau of Land Management (BLM), Reclamation, and Trout Unlimited to restore the health of aquatic systems and their native species in waters and watersheds managed by these Federal agencies. Nonprofit organizations, private foundations, and any Federal, State, or local government is eligible to receive funds under this program. Grants ranged from \$3,000 to \$32,000 and must be matched on a 1:1 basis with non-Federal funds or contributed goods and services from non-Federal sources. Additional information can be obtained at <http://www.nfwf.org/>.

## **National Park Foundation Grants Program**

The National Park Foundation provides funding to parks for innovative, concrete projects, providing tangible and lasting benefits to the park. The foundation encourages fresh approaches to park problems and projects, which help build an understanding of, and a constituency for, park values. The foundation will fund any project that has tangible benefits to parks. Grants that are most competitive range from \$3,000 to \$40,000, with no matching funds required. However, projects which leverage a foundation grant with matching funds, public or private, are preferred.

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## Toolbox for the Great Outdoors

*Toolbox for the Great Outdoors (Toolbox)* is a directory to Federal and State programs and other resources that can enhance visitor experiences at Federal recreation areas. Special messages from the leaders of six key Federal agencies about the *Toolbox* and about the vital role of partnerships are showcased on a CD. The *Toolbox* was developed by the American Recreation Coalition in cooperation with the Federal cosponsors of Partners Outdoors XI, held in Henderson, Nevada, in January 2002. The *Toolbox* contains multimedia overviews of 20 creative tools and more than a billion dollars annually in potential resources which can supplement traditional appropriations to Federal recreation-providing agencies. The overviews are followed by detailed explanations, examples of uses of each tool at Federal sites, strategies for securing additional financial resources and staffing, links to websites, and other sources of information on the tools and contacts for further information and advice.

The highlighted tools include:

- Transportation-Related Tools

- Scenic Byways
- Recreational Trails Program
- Transportation Enhancements
- Intelligent Transportation Systems
- Cooperation with Department of Defense and National Guard Units

- Wildlife and Fisheries Programs

- Sportfish Restoration Account (Wallop-Breaux Fund)
- Federal Aid for Wildlife Restoration (Pittman-Robertson)

- Volunteers, Fees, and Partner Receipts

- National Recreation Fee Demonstration Program
- Volunteers
- Funding Through Congressionally Chartered and Federally Aided National Foundations
- Friendraising: Use of National and Local Foundations
- Judicial Sentencing of Nonviolent Offenders and Use of Fines and Penalties
- State Off-Highway Vehicle Programs (Including Winter Parking Permits)
- Challenge Cost-Share Agreements for Recreation and Wildlife
- Private Investments in Recreation Facilities
- Shared Use Facilities

- Recreation and Conservation Programs

- Land and Water Conservation Fund
- Rivers, Trails, and Conservation Assistance Program
- Land Exchanges and Sales

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The *Toolbox* is available on an interactive CD, can be utilized by virtually all personal computers, and operates in an enhanced mode while connected to the Internet. The program is designed for use by Federal land managers as well as recreation, tourism, and conservation community leaders eager to expand the quality of visitor experiences. The *Toolbox* allows users to go directly to tools of interest, queries users about needs, and recommends appropriate tools for consideration. Copies of the *Toolbox for the Great Outdoors* can be ordered from the American Recreation Coalition at 202-682-9530 or through its website, <[www.funoutdoors.com](http://www.funoutdoors.com)>.

## **Reclamation Recreation Management Act of 1992, Title 28 and Potential Managing Partners**

The Reclamation Recreation Management Act of 1992 is an amendment to the Federal Project Recreation Act of 1965, Public Law (P.L.) 89-72, that provides up to 50 percent Federal cost sharing for the planning, construction, and operation and maintenance of recreation facilities with non-Federal public entities. It also provides 75 percent Federal cost sharing with non-Federal partners for fish and wildlife enhancement and up to 50 percent of the operation and maintenance of such facilities. Non-Federal public entities that have agreed to manage developed facilities and lands at Reclamation projects are to work with local Reclamation offices to identify proposed projects for funding. Congressional funds are appropriated annually and distributed for selected sites.

Section 7(c) of P.L. 89-72 also gives Reclamation clear authority to contract with other Federal agencies to manage Reclamation lands. However, the question is whether or not the other agencies have the inherent authority to do what Reclamation might ask them to do on Reclamation lands.

As stated earlier, P.L. 89-72 provides Reclamation with opportunities to transfer management of recreation resources to a non-Federal government entity or another Federal agency. Through P.L. 89-72, as amended, Reclamation is encouraged to seek State and local partners in managing the recreation resources on its lands. Throughout the 17 Western States, Reclamation has numerous successful partnerships with non-Federal entities. In other instances and pursuant to P.L. 89-72, Reclamation has transferred jurisdiction of its lands to other Federal agencies as National Recreation Areas, National Wildlife Refuges, or as National Forest lands if the Reclamation project is within or adjacent to a National Forest System. If Reclamation lands are transferred to another Federal agency, all resources, including recreation, are managed using the rules, regulations, and funding sources of that agency. When neither a non-Federal or Federal partner can be obtained, Reclamation manages its lands and resources pursuant to existing laws and regulations and specific Reclamation authorities and limitations.

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This is currently the situation at the study area; however, as stated earlier, Reclamation is hindered in its ability to manage recreation resources because it lacks specific authority to do so. Approximately 21 reservoir areas in the 17 Western States are managed directly by Reclamation in the absence of a managing partner. At a time when Federal, State, and local funding for recreation development is decreasing, the demand for outdoor recreation is increasing. The leveraging of funds and shared responsibilities are important if land management agencies wish to meet future demand. Following are potential managing partners who could be approached to share in the recreation management of the study area:

- P State game and fish departments
- P Local Chamber of Commerce
- P Cities
- P Counties
- P USFS
- P BLM
- P FWS
- P State recreation departments

If one of the above-mentioned non-Federal entities were obtained as a recreation management partner, both sections 2(a) and 3(b)(1) of P.L. 89-72 provide that features or facilities for recreation, as well as fish and wildlife enhancements, or both, may be provided if the non-Federal entity pays for:

- P Up to one half of the construction costs for recreation (land acquisition, facilities construction, and project modification)
- P Up to one fourth of the construction costs for fish and wildlife enhancement (land acquisition, facilities construction, and project modification)
- P Up to one half of the operation and maintenance and replacement costs for recreation or fish and wildlife enhancement facilities or features Section 2((b) of P.L. 89-72 also provides guidance on how a non-Federal entity could have Reclamation

fund and construct most, if not all, the facilities or features; provided, that the non-Federal entity into a repayment contract with the United States government to repay the non-Federal entities portion of the 50 percent cost share obligation funded by the United States. The amount of money borrowed from the United States would have to be repaid with interest within 50 years of first use of the facilities and features provided. The source of repayment may be limited to the entrance and user fees or charges collected at the recreation area if the fee schedule is established on a basis to achieve repayment within the 50 years.

## **National Recreation Fisheries Coordination Council**

Following is list of possible Internet sights compiled by the National Recreation Fisheries Coordination Council that provide additional information on funding opportunities for Reclamation and/or a potential managing partner:

1. *A Guide to Funding Resources*  
<<http://www.nal.usda.gov/ric/ricpubs/funding/funding1.htm>>
2. *Catalog of Federal Domestic Assistance*  
<<http://www.gsa.fdac/queryfdac.htm>>
3. *Federal Research Grants Index*  
<<http://fedix.fie.com/>>
4. *Grant Programs Administered by EPA*  
<<http://www.epa.gov/ogd/cfda.htm>>
5. *Catalog of Federal Funding Sources for Watershed Protection*  
<<http://www.epa.gov/owow/watershed/wacademy/fundindex.html#dept>>
6. *National Fish and Wildlife Foundation*  
<<http://www.nfwf.org/index.htm>>

## **Fee Retention**

The ability to retain recreation-related fees to offset operation and maintenance expenses is an important aspect to consider when managing recreation activities on Federal lands. In April 1996, Congress passed the Recreation Fee Demonstration Program (P.L. 104-134). This program tests the feasibility of user fees as another way of helping finance recreation programs on Federal lands. Although the original program did not include Reclamation, recent legislation proposals do include Reclamation.

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Presently, user fees collected on most Federal sites such as campgrounds not designated under the Recreation Fee Demonstration Program, are returned to the Federal treasury and should be available for operation and maintenance the following year through congressional appropriations. However, congressional appropriations the following year are usually less than the amount of user fees collected at the site. In contrast, under the Fee Demonstration Program, user fees will not be returned to the Federal treasury but will be kept for operation and maintenance of the site where the fees are collected.

Over the last several years, funding for most Reclamation recreation programs have steadily declined. It is the intent of the Fee Demonstration Program to develop equitable ways for recreation users to help pay for the service they use. Even with the Recreation Fee Demonstration Program, congressional appropriations traditionally fund about 2/3 of the recreation program. Therefore, recreationists will get a good value for their recreation dollars while helping to pay for a high-quality recreation experience.

As stated earlier, P.L. 89-72 authorizes Reclamation to enter into recreation management agreements with non-Federal entities such as State, county, and local governments. This act also authorizes the transfer of project lands or facilities to these agencies with terms and conditions that best promote development and operation of the lands and facilities for recreation purposes in the public interests. P.L. 89-72 states that “. . . entrance and user fees or charges collected at the project by non-Federal interests. . .” may be “. . . used to assist in repayment of costs.” In addition to P.L. 89-72, the following congressional legislation also supports retention of user fees by a non-Federal managing partner:

- P *United States Code*, USC 16, part 4601-6a states “. . . any such contract may provide that the contractor. . . deduct a commission to be fixed by the agency head from the amount charged the public for providing such services. . .”
- P *Land and Water Conservation Fund* of September 3, 1964, P.L. 88-578, 78 Stat. 897 states that “. . . provision of law that permits States or political subdivisions to share in the revenues from Federal lands. . .”